



S008942%S%2003

**SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE**

If the information below is inaccurate, please line it out in red and provide current information.

Notify this office if ownership or address changes occur during the coming year

**Please Complete and Return This Form by August 1, 2004.**

**\*If the mail recipient's name, address or phone No. is wrong or missing, please correct.**

**Owner of Record: TOY FAMILY TRUST;**

2001, 2002, 2003

2004 JUN 16 PM 1:07

DM 60000000

STATEMENT NO.: S008942  
CONTACT PHONE NO.: (209)245-4772

**PRIMARY CONTACT OR AGENT FOR MAIL & REPORTING:**

**TOY FAMILY TRUST  
C/O AUTHOR J & BONNIE J TOY  
PO BOX 346  
PLYMOUTH, CA 95669**

**Source Name:** BIG INDIAN CREEK  
**Tributary To:** COSUMNES RIVER  
**County:** Amador  
**Diversion Within:** NW1/4 of SW1/4 Section 06, T07N, R11E, MB&M

**Year of First Use:** 1920  
**Parcel Number:**

- A. Water is used under: Riparian claim X Pre 1914 right \_\_\_\_\_ Other (explain): \_\_\_\_\_
- B. Year of first use (Please provide if missing above) \_\_\_\_\_
- C. Amount of Use – Enter the amount (or the approximate amount) of water used each month.

Amounts below are: Gallons _____ Acre-feet <u>X</u> _____ Other _____													Total Annual
Year	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	
2001													5
2002													5
2003													5

- D. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc  
Irrigation 5 acres; Stockwatering 30 CATTLE; Domestic \_\_\_\_\_;  
Other (specify) \_\_\_\_\_
- E. Changes in Method of Diversion – Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)  
\_\_\_\_\_  
\_\_\_\_\_
- F. Please answer only those questions below which are applicable to your project.

1. Conservation of water

- a. Are you now employing water conservation efforts? YES NO  
Describe any water conservation efforts you have initiated: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

- b. If credit toward beneficial use of water under claimed pre 1914 appropriative water right for water not used due to a conservation effort is claimed under section 1011 of the Water Code, please show the amounts of water conserved:

Reductions in Diversions:

yr \_\_\_\_\_ (af/mg) yr \_\_\_\_\_ (af/mg) yr \_\_\_\_\_ (af/mg)

Reductions in consumptive use:

yr \_\_\_\_\_ (af/mg) yr \_\_\_\_\_ (af/mg) yr \_\_\_\_\_ (af/mg)

I have data to support the above surface water use reductions due to conservation efforts. YES NO

AUG 3 2004

2. Water quality and wastewater reclamation

- a. Are you now or have you been using reclaimed water from a wastewater treatment facility, desalination facility or water polluted by waste to a degree which unreasonably affects such water for other beneficial uses? YES \_\_\_\_\_ NO \_\_\_\_\_
- b. If credit toward use under a claimed pre 1914 appropriative water right through substitution of reclaimed water, desalinated water or polluted water in lieu of appropriated water is claimed under section 1010 of the Water Code, please show amounts of reduced diversions and amounts of reclaimed water used:

yr \_\_\_\_\_ (af/mg) yr \_\_\_\_\_ (af/mg) yr \_\_\_\_\_ (af/mg)  
I have data to support the above surface water use reductions due to wastewater reclamation. YES \_\_\_\_\_ NO \_\_\_\_\_

3. Conjunctive use of surface water and groundwater

- a. Are you now using groundwater in lieu of surface water? YES \_\_\_\_\_ NO \_\_\_\_\_
- b. If credit toward use under a claimed pre 1914 appropriative right through substitution of groundwater in lieu of appropriated water is claimed under section 1011.5 of the Water Code, please show the amounts of groundwater used.

yr \_\_\_\_\_ (af/mg) yr \_\_\_\_\_ (af/mg) yr \_\_\_\_\_ (af/mg)  
I have data to support the above surface water use reductions due to conjunctive use efforts. YES \_\_\_\_\_ NO \_\_\_\_\_

I understand that it may be necessary to document the water savings claimed in "F" above if credit under Water Code sections 1010 and 1011 is sought in the future.

I declare that the information in this report is true to the best of my knowledge and belief.

DATE: 6/15/2004 at RLYMOUTH, California

SIGNATURE: [Signature]

PRINTED NAME: ARTHUR J. TOY  
(first name) (middle init) (last name)

COMPANY NAME: INDIAN CREEK VINEYARD

If there is insufficient space for your answers, please use the space provided below.

ITEM	CONTINUATION

GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

There are two principal types of surface water rights in California. They are riparian and appropriative rights.

A riparian right enables an owner of land bordering a natural lake or stream to take and use water on his riparian land. Riparian land must be in the same watershed as the water source and must never have been severed from the sources of supply by an intervening parcel without reservation of the riparian right to the severed parcel. Generally, a riparian water user must share the water supply with other riparian users. Riparian rights may be used to divert the natural flow of a stream but may not be used to store water for later use or divert water which originates in a different watershed, water previously stored by others, return flows from use of groundwater, or other "foreign" water to the natural stream system.

An appropriative right is required for use of water on nonriparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. Since 1914, new appropriators have been required to obtain a permit and license from the State. Appropriate rights can be granted to waters "foreign" to the natural stream system.

Statements of Water Diversion and Use must be filed by riparian and pre 1914 appropriative water users as set forth in Water Code section 5100 with specific exceptions. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversions, and (3) assists the State to determine if additional water is available for future appropriators.

The above discussion is provided for general information. For more specific information concerning water rights, please contact an attorney or write to this office. We have several pamphlets available. They include: (1) Statements of Water Diversion and Use, (2) Information Pertaining to Water Rights in California, and (3) Appropriation of Water in California.

*"The energy challenge facing California is real. Every California needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demand and cut your energy costs, see our Web-site at <http://www.swrcb.ca.gov>"*

State of California  
State Water Resources Control Board  
DIVISION OF WATER RIGHTS  
P.O. Box 2000, Sacramento, CA 95812-2000  
Info: (916) 341-5300, FAX: (916) 341-5400, Web: http://www.waterrights.ca.gov

**SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE**

If the information below is inaccurate, please line it out in red and provide current information.  
Notify this office if ownership or address changes occur during the coming year.

STATE WATER RESOURCES  
CONTROL BOARD

2001 JUN 12 PM 3:54

DIV. OF WATER RIGHTS  
SACRAMENTO

Please Complete and Return This Form by July 1, 2001.

Owner of Record: TOY FAMILY TRUST;

TOY FAMILY TRUST  
PO BOX 346  
PLYMOUTH, CA 95669



Statement No: S008942  
Password: 04190110024022  
Phone Number: (209) 245-4772

\*If the mail recipient's name, address or phone No. is wrong or missing, please correct.

Source Name: BIG INDIAN CREEK

Year of First Use: 1920

Tributary To: COSUMNES RIVER

County: Amador

Parcel Number:

Diversion Within: NW1/4 of SW1/4 Section 06, T07N, R11E, MB&M

A. Water is used under: Riparian claim Pre 1914 right Other (explain);

B. Year of first use (Please provide if missing above)

C. Amount of Use - Enter the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.

Amounts below are:													Total Annual
Year	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	
1998	✓	✓	✓	✓	✓						✓	✓	
1999	✓	✓	✓	✓	✓						✓	✓	
2000	✓	✓	✓	✓	✓						✓	✓	

D. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation 50 AC acres; Stockwatering 144 CATTLE Domestic

Other (specify)

E. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)

F. Please answer only those questions below which are applicable to your project.

1. Conservation of water

a. Are you now employing water conservation efforts? YES NO  
Describe any water conservation efforts you have initiated:

b. If credit toward beneficial use of water under claimed pre 1914 appropriative water right for water not used due to a conservation effort is claimed under section 1011 of the Water Code, please show the amounts of water conserved:

Reductions in Diversions:

yr (af/mg) yr (af/mg) yr (af/mg)

Reductions in consumptive use:

yr (af/mg) yr (af/mg) yr (af/mg)

I have data to support the above surface water use reductions due to conservation efforts. YES NO

2. Water quality and wastewater reclamation

- a. Are you now or have you been using reclaimed water from a wastewater treatment facility, desalination facility or water polluted by waste to a degree which unreasonably affects such water for other beneficial uses? YES ☐ NO ☒
- b. If credit toward use under a claimed pre 1914 appropriative water right through substitution of reclaimed water, desalinated water or polluted water in lieu of appropriated water is claimed under section 1010 of the Water Code, please show amounts of reduced diversions and amounts of reclaimed water used:

yr \_\_\_\_\_ (af/mg) yr \_\_\_\_\_ (af/mg) yr \_\_\_\_\_ (af/mg)  
I have data to support the above surface water use reductions due to wastewater reclamation. YES ☐ NO ☐

3. Conjunctive use of surface water and groundwater

- a. Are you now using groundwater in lieu of surface water? YES ☒ NO ☐
- b. If credit toward use under a claimed pre 1914 appropriative right through substitution of groundwater in lieu of appropriated water is claimed under section 1011.5 of the Water Code, please show the amounts of groundwater used:

yr \_\_\_\_\_ (af/mg) yr \_\_\_\_\_ (af/mg) yr \_\_\_\_\_ (af/mg)  
I have data to support the above surface water use reductions due to conjunctive use efforts. YES ☐ NO ☐

I understand that it may be necessary to document the water savings claimed in "F." above if credit under Water Code sections 1010 and 1011 is sought in the future.

I declare that the information in this report is true to the best of my knowledge and belief.

DATE: 6-9-2001 at Livermore, California

SIGNATURE: \_\_\_\_\_

PRINTED NAME: ARTHUR J. TOY  
(first name) (middle init.) (last name)

COMPANY NAME: \_\_\_\_\_

If there is insufficient space for your answers, please use the space provided below.

ITEM CONTINUATION


GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

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*"The energy challenge facing California is real. Every California needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demand and cut your energy costs, see our Web-site at <http://www.swrcb.ca.gov>"*

file

## SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

If the information below is inaccurate, please line it out in red and provide current information.  
Notify this office if ownership or address changes occur during the coming year.

PLEASE COMPLETE AND RETURN THIS FORM BY JULY 1, 1998

OWNER OF RECORD: TOY FAMILY TRUST, TOY FAMILY TRUST

TOY FAMILY TRUST  
PO BOX 346  
PLYMOUTH, CA 95669

STATEMENT NO: S008942



SOURCE: BIG INDIAN CREEK  
TRIBUTARY TO: COSUMNES RIVER  
COUNTY: AMADOR  
DIVERSION

WITHIN: NW¼ OF SW¼ SECTION 6, T7N, R11E, MB&M.

TELEPHONE NUMBER:

(209) 245-4772

YEAR OF FIRST USE: 1920

PARCEL NO:

- A. Water is used under: Riparian claim ☒; Pre 1914 right \_\_\_\_\_; Other (explain): \_\_\_\_\_
- B. Year of first use (Please provide if missing above) \_\_\_\_\_
- C. Amount of Use - Enter the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.

Amounts below are: ☐ Gallons ☒ Acre-feet ☐ (other) \_\_\_\_\_

Year	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Total Annual
1995	✓	✓	✓	✓	✓	✓					✓	✓	5
1996													5
1997													5

- D. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.  
Irrigation \_\_\_\_\_ acres; Stockwatering 75 SHEEP; Domestic \_\_\_\_\_  
Other (specify) \_\_\_\_\_
- E. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)  
\_\_\_\_\_  
\_\_\_\_\_
- F. If part of the water listed in Part C consists of reclaimed or polluted water, please indicate the annual amounts of reclaimed or polluted water in the space below.  
\_\_\_\_\_  
\_\_\_\_\_

I declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief.

DATED: 2/12/98, 19 98 at LIVERMORE, California

SIGNATURE: \_\_\_\_\_

PRINTED NAME: ARTHUR J. TOY

(FIRST NAME)

(MIDDLE INIT.)

(LAST NAME)

COMPANY NAME: INDIAN CREEK VINEYARD/RANCH

See back of page for General Information. If there is insufficient space for your answers, please number them in the space provided on the back of this form.

WR 40-1  
UP DATED  
3/3/98  
KRB



5-8 942

**\*\* PLEASE COMPLETE, SUBMIT THE ORIGINAL AND MAKE A COPY FOR YOUR RECORDS \*\***

**STATE WATER RESOURCES CONTROL BOARD  
DIVISION OF WATER RIGHTS**

P.O. BOX 2000 SACRAMENTO, CA 95812-2000

STATE WATER RESOURCES  
CONTROL BOARD  
DIV. OF WATER RIGHTS  
SACRAMENTO  
1995 JUL 1 3 PM 2:20

12/20/95

**SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE**

STATEMENT NO: S008942

OWNER OF RECORD: ~~FRANK P DAL PORTO JR~~

~~FRANK P DAL PORTO JR  
10921 FIDDLETOWN ROAD  
PLYMOUTH, CA 95669~~

~~TOY FAMILY TRUST  
TRUSTEES/ARTHUR J.~~

~~P.O. BOX 346~~

~~10923 FIDDLETOWN  
PLYMOUTH, CA 95669~~

~~BONNIE J. TOY~~

SOURCE: BIG INDIAN CREEK  
TRIBUTARY TO: COSUMNES RIVER  
COUNTY: AMADOR  
DIVERSION

WITHIN: NW¼ OF SW¼ SECTION 6, T7N, R11E, MDB&M.

TELEPHONE NUMBER:

(209) 245-6314 6772

YEAR OF FIRST USE: 1920

PARCEL NO: 15-010-022-00

ANS. MARCH 1995

(If any of the above information is inaccurate or missing, please correct. Notify this office if ownership or address changes occur during the coming year.)

**COMPLETE AND RETURN THIS FORM BY JULY 1, 1995**

A. Water is used under: Riparian claim ☒; Pre 1914 right \_\_\_\_\_; Other (explain) \_\_\_\_\_

B. Year of first use (Please provide if missing above) \_\_\_\_\_

C. Amount of Use - Enter the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.

Amounts below are: ☒ Gallons ☒ Acre-feet ☐ (other) \_\_\_\_\_

	JAN.	FEB.	MAR.	APR.	MAY	JUNE	JULY	AUG.	SEPT.	OCT.	NOV.	DEC.	TOTAL ANNUAL
1992	129600	129600	129600	129600	129600	129600	129600	129600	129600	129600	129600	129600	1516800
1993	11	11	11	11	11	11	11	11	11	11	11	11	11
1994	11	11	11	11	11	11	11	11	11	11	11	11	11

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D. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation 5 acres; Stockwatering 15 SHEEP; Domestic 2 PERSONS

Other (specify) \_\_\_\_\_

**\*\*\* CONTINUE ON BACK PAGE \*\*\***

\*\*\* PLEASE COMPLETE, SUBMIT THE ORIGINAL AND MAKE A COPY FOR YOUR RECORDS \*\*\*

- E. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed (new pump, enlarged diversion dam, location of diversion, etc.)

NONE

- F. If part of the water listed in Part C consists of reclaimed or polluted water, please indicate the annual amounts of reclaimed or polluted water in the space below.

I declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief.

DATED: 7/10/13, at PLYMOUTH, California

SIGNATURE:

PRINTED NAME:

ARTHUR

(FIRST NAME)

JOHN

(M NAME)

TOY

(LAST NAME)

COMPANY NAME:

TRUSTEE, TOY FAMILY TRUST

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"Statements of Water Diversion and Use"

"Information Pertaining to Water Rights in California"

"Water Rights for Stockpounds Constructed Prior to 1969"

"Appropriation of Water in California"



STATE WATER RESOURCES CONTROL BOARD  
DIVISION OF WATER RIGHTS  
P.O. Box 2000  
Sacramento, CA 95812-2000

STATEMENT OF WATER DIVERSION AND USE  
INFORMATION SHEET

STATEMENT NO. 5008942

DIVERSION SITE:

OWNER'S NAME ARTHUR J TOY  
(FIRST) (MIDDLE) (LAST)

PARCEL NO. 15-010-022-00

PLACE OF USE:

OWNER'S NAME ARTHUR J TOY  
(FIRST) (MIDDLE) (LAST)

1. PARCEL NO. \_\_\_\_\_

2. PARCEL NO. \_\_\_\_\_

3. PARCEL NO. \_\_\_\_\_

PERSON OR FIRM TO RECEIVE ALL CORRESPONDENCE AND SUPPLEMENTAL  
STATEMENTS:

OWNER/LESSEE/AGENT/OTHER TRUSTEE FOR TOY FAMILY TRUST

NAME ARTHUR J TOY  
(FIRST) (MIDDLE) (LAST)

MAILING ADDRESS P.O. Box 346  
PLYMOUTH, CA 95469  
(CITY) (STATE) (ZIP)

TELEPHONE NO. (209) 245 - 6772 (PARCEL)  
(56) 447 - 5764 (BUSINESS)

OTHERS USING ABOVE DIVERSION LOCATION: ~~None~~

1. NAME TED FLINDA HOEGER  
(FIRST) (MIDDLE) (LAST)

MAILING ADDRESS Box 346  
PLYMOUTH, CA 95469  
(CITY) (STATE) (ZIP)

TELEPHONE NO. (209) 245 - 6772

2. NAME \_\_\_\_\_  
(FIRST) (MIDDLE) (LAST)

MAILING ADDRESS \_\_\_\_\_  
(CITY) (STATE) (ZIP)

TELEPHONE NO. (\_\_\_\_\_) \_\_\_\_\_ - \_\_\_\_\_

☐ ADDITIONAL INFORMATION CONTINUED ON BACK OF PAGE OR ATTACHED

PLEASE USE THE OTHER SIDE TO PROVIDE THE ABOVE INFORMATION FOR  
ADDITIONAL OWNERS OR PLACES OF USE AND CHECK THE ADDITIONAL  
INFORMATION BOX.